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<sup>3</sup>The brother referred to was probably Edward Bennett, a merchant of London, member of the Virginia Company, and uncle of Richard Bennett, Governor of Virginia.

<sup>4</sup>Captain Nathaniel Butler. He was a creature of the Warwick and Smith faction in the Virginia Company, and being in Virginia in the winter of 1623, made use of the distress and poverty which succeeded the Massacre, in an attempt to injure the liberal majority which then controlled the Company. His "Unmasking of Virginia," which appeared in the spring of 1623, excited great indignation in the Company and the Colony. Butler's pamphlet called forth in a short time a reply entitled "The Answer of Divers planters who have long lived in Virginia," &c. This reply which quotes and answers *seriatim*, Butler's charges, is printed in *Neill's Virginia Company*, 394-407. The General Assembly of Virginia, also sent to England an "Answer of the General Assembly in Virginia to the declaration of the State of the Colony under Sir Thomas Smith's government, by Alderman Johnson and others." This is also printed by Neill, 407-411.

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**Reply of Sir Thomas Smythe and Alderman Johnson  
to the Petition of John Bargrave, 1621.**

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[Reference was made in the January number of this Magazine to the dispute between Captain Bargrave and Sir Thomas Smythe, and a petition of the former was printed. The matter was taken into Chancery, and in 1621, Bargrave presented another to the Committee of Grievances of the House of Commons, reiterating his charges against the former government of Virginia, and making additional ones. To this petition Sir Thomas Smythe and Alderman Johnson replied in November, 1621. Quite a full summary of this reply is given in Brown's *First Republic*, pp. 446-7, but as few papers from the Smythe faction have been published, it is thought well to give this here.]

1624, April.

Answer of Sir Thomas Smythe and Robt. Johnson, Alderman, to the Petition of John Bargrave, Exhibited in way of complaint to the Committee of Grievances of the Lower House of Parliament.

Letting pass all vain and impertinent matter to the first point material, that Sir Thomas Smyth hath framed a tyrannical Government, imposed upon the people in Virginia, &c.

Sir Thos. Smyth saith that the Commissions given by him as Treasurer & the rest of his Maj. Council for Virginia to Sir Thos. Gates & others the Governors sent to Virginia, were never otherwise, but expressly to rule and govern so near as might be according to the laws of England as by said Commission, ready to be shown may appear. But if any of these printed laws and articles to which said Bargrave referreth may seem too severe as upon pain of death to be observed (howsoever being rightly weighed they are justifiable by the laws of England) yet they were not framed by Sir. Thos. Smyth as most untruly alleged, but by those Worthy Governors in Virginia as the very title and preface to the printed book itself sets down, that Sir Thos. Smith wrote to Capt. Martin, one of the first Planters and a Special man at that time in Virginia, signifying his dislike of the Strictness thereof, fearing it would discourage men from going to the Plantation yea all said Governors Lord La War & Sir Thos. Dale, deceased, also Sir Thos. Gates and Capt. Argoll successively now living and ready to witness did see such a necessity that the said laws should be made & published in some cases ad terrorem and in some to be truly executed, as without which the Colony consisting then of such deboyst and irregular persons could not possibly continue. That it is a bold slander that Sir Thos. Smyth & others practising with him did print said book and practise those things for their own ends. The printer yet living can witness he was directed to print it by his Maj. Council for Virginia whereof many are very honorable Lords and Knights now living of this Hon<sup>ble</sup> house. That said Bargrave had no nomination in any patent to make a private plantation, nor never made any but without commission from the Company he sent thither his Deputies a very disordered crew that intruded there upon the lands of other Planters and com-

mitted outrage and rapine upon the poor Indians, as Capt. Martin—then in Virginia, now in London—is ready to testify. Neither do Smyth & Johnson believe that Bargrave suffered Damages but say confidently that if by Capt. Argall, then Governor in Virginia, said Bargrave was hindered his designs, it were too easy a punishment to be only restrained of his evil courses whereof Capt. Argall, now resident in London complaineth, and is ready to justify against Bargrave's Deputies for their own private lucre & under Colour of trade with the Indians unfurnishing the Colony of necessary provisions, and furnishing the Indians with arms and robbing them of their corn. Utterly deny that ever they joined with the sole importers of tobacco or that they sought to detain the Government which by Sir Thos. Smyth was absolutely refused and in open Court denied to be put in election, neither did they banish the bringing home of Virginia tobacco that being done by those that succeeded him. That Bargrave is at present £500 in debt by his bond long forfeited to the Virginia Adventurers for tobacco bought of them, the suit for same removed into chancery. And now a final day being set the 10th of this present November, 1621, their Council feed and all things ready for hearing, said Bargrave obtained a new day next term. This course in chancery being of his own choosing if himself will now decline by this his appeal, then they humbly pray that he may be enjoined first to dismiss his bill in chancery & pay the charges caused by his dilatory course, and they shall be willing to submit themselves in any thing this Hon<sup>ble</sup> Committee shall think fitting. Certify the injustice to them if he refuse. And that Bargrave ceaseth not in all places and by all devices of tongue and pen to pursue them in such reproachful terms and manner as is intollerable, charging Sir Thos. Smyth with unjustifiable accounts & this government to be odious and Alderman Johnson with indirect dealings which coming to the King's ears, his Maj. called Alderman Johnson to his presence, relating to him verbatim the particulars, and required his answer in writing which he delivered under the testimony of a general assembly of the adventurers, which so fully cleared him that his Maj. upon Johnson's humble petition caused a reference to the now Attorney General for examining said Bargrave, and one Melling his associate, and to determine of some course in

the Star chamber to punish their Scandalous tongues which course hath been yet forborn with patience, expecting amendment, but see no amendment in Bargrave, who in open court in Paul's in the Streets and in all places without cause using vile & scandalous speeches & behaviour against them. Therefore pray this Hon<sup>ble</sup> Committee to determine some way for correcting this course and easing their grievance which may be any man's case to be abused if he be suffered without punishment.

(3 pp. *Colonial Papers*, Vol. 3, No. 12.)

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### The Privy Council to the Governor of Virginia.

[Abstract from Eng. Pub. Rec. Office, by W. N. Sainsbury.]

1623, April 28, Whitehall.

The Lords of the Privy Council to the Governor of Virginia:

The King upon divers informations has taken into consideration the present State of Virginia & the Somers Islands and hath extended his care as well for the redress of that which is amiss as for the establishing of fit directions for the future, whereby all indirect courses, misunderstandings, and dissensions, may be prevented; and the benefit of every honest person advanced. Their Lordships have thought good to signify this to the end, there be no discouragement taken or apprehended by any loose advertisements proceeding from factious humours or private ends, but that they comfort themselves in attending the fruits of that good work which by his Maj. express command is now in hand. They are therefore charged in his Maj. name to live together in that concord, unity & joint care of the common good of that Plantation which becometh the Undertakers of such an action, the subjects of such a King and the Professors of one Religion cannot but let him know how displeasing it is to his Maj. to hear that neither their fortifications, houses of habitations, nor provisions of victuals, are cared for in such sort as they ought to be, and require him to be more careful for themselves and the good of the Plantation hereafter.

(*Colonial Entry B'k*, Vol. 79, p. 205.)